

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK.....^x

CHARLES FRITZNER

Plaintiff(s),

TRIAL BY JURY DEMAND

- against -

DOCKET #: 11-CV-1960

DEWALT INDUSTRIAL TOOL CORP.,
THOMAS GAYLE, MERVAL PAISLEY,
MERVA PAISELY-GAYLE and BLACK & DECKER,

Defendant(s),

^x

DEWALT INDUSTRIAL TOOL CORP. and BLACK & DECKER,

Third Party Plaintiff(s)

- against -

THOMAS GAYLE, MERVAL PAISLEY and
MERVA PAISLEY-GAYLE,

Third Party Defendant(s)

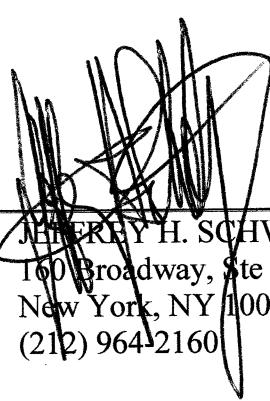
^X

Dear Sirs,

Please take notice that pursuant to Federal Rules of Civil Practice and the applicable Local Rules of this Honorable Court, Plaintiff hereby demands a jury comprised of six persons for the trial of the within action at bar.

Dated: New York, New York
May 4, 2011

BY:


JEFFREY H. SCHWARTZ, ESQ.
160 Broadway, Ste 502
New York, NY 10038
(212) 964-2160

To: Michael K. Berman

Smith Mazure Director Wilkins Young & Yagerman, PC
Attorneys for Defendants/Third-Party Plaintiffs
Black & Decker (U.S.) Inc. s/h/a DeWalt Industrial Tool

Corp. and Black & Decker
111 John Street, 20th Fl.
New York, NY 10038-3198
(212) 964-7400
Your File#: BD-00110/MKB

To: GANNON, LAWRENCE & ROSENFARB
Attorney for Defendants/Third-Party Defendants
Thomas Gayle and Merva Paisley-Gayle
100 Williams St., 7th Fl
New York, NY 10038
(212) 655-5000
Your File#: D09-6709

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

SUSAN SCHWARTZ, being duly sworn, deposes and says:

I am not a party to this action. I am over 18 years of age and reside in Brooklyn, New York.

On May 4, 2011 deponent served

TRIAL BY JURY DEMAND

To: Michael K. Berman
Smith Mazure Director Wilkins Young & Yagerman, PC
Attorneys for Defendants/Third-Party Plaintiffs
Black & Decker (U.S.) Inc. s/h/a DeWalt Industrial Tool
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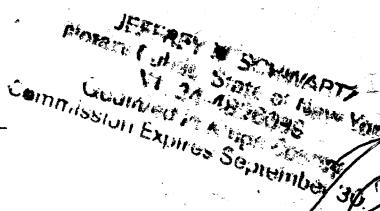
By depositing a true copy of the same securely in a postpaid wrapper, in a Post Office Box regularly maintained by the United States government directed to the above-mentioned parties at their respective address above, that this being the address within the United States designated by them for the purpose upon the preceding papers in this action or the place where they then kept an office, between which place, there then was and now is a regular communication by mail.



SUSAN SCHWARTZ

Sworn to before me on
May 4, 2011

Notary Public



Attorney(s) for

STATE OF NEW YORK, COUNTY OF

s.s.:

I, the undersigned, an attorney admitted to practice in the court of New York State,

certify that the within

has been compared by me with the original and found to be a true and complete copy

state that I am

the attorney(s) of record for

action; I have read the foregoing
the same is true to my own knowledge, except as to the matters therein alleged to be on information and belief,
and as to those matters I believe it to be true. The reason this verification is made by me and not by

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

I affirm that the foregoing statement are true, under the penalties of perjury.

Dated:

The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF

I, the undersigned, being duly sworn, depose and say: I am

in the action; I have read the foregoing

and know the contents thereof; the same is true to my own knowledge, except
as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true
as to the matters therein stated to be alleged on information and belief, and as to those matters I
believe it to be true.

The _____ of

A _____ corporation and a party in the within action; I have read the
foregoing except as to the matters therein stated to be alleged upon information and belief, and as
to those matters I believe it to be true. This verification is made by me because the above party is a
corporation and I am an officer thereon.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Sworn to before me on

The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF

ss.:

(If more than one box is checked – indicate after names type of service used.)

I, the undersigned, being sworn, say: I am not a party to the action, am over 18 years old and reside at

On

I served the within

by mailing a copy to each of the following persons at the last known address set forth after each
name below.

by delivering a true copy of each person named below at the address indicated. I knew each person
served to be the person mentioned and described in said papers as *a party therein*:

by transmitting a copy to the following persons by FAX at the telephone number set forth after
each name below E-MAIL address set forth after each name below, which was designated by
the attorney for such purpose, and by mailing a copy to the address set forth after each name.

by dispatching a copy by overnight delivery to each of the following persons at the last known
address set forth after each name below.

Sworn to me on

The name signed must be printed beneath

CHARLES FRITZNER

Plaintiff(s),

- against -

DEWALT INDUSTRIAL TOOL CORP.,
THOMAS GAYLE, MERVAL PAISLEY, MERVA PAISELY-GAYLE and BLACK & DECKER,

Defendant(s),

DEWALT INDUSTRIAL TOOL CORP. and BLACK & DECKER,

Third Party Plaintiff(s)

- against -

THOMAS GAYLE, MERVAL PAISLEY and MERVA PAISELY-GAYLE,

Third Party Defendant(s)

TRIAL BY JURY DEMAND

Jeffrey H Schwartz
Attorney for Plaintiff
160 Broadway - Ste 502
New York, New York 10038
Telephone (212)964-2160

To:

Service of a copy of the within
Is hereby admitted.

Dated _____

Attorney(s) for

PLEASE TAKE NOTICE:

NOTICE OF ENTRY

That the within is a (certified true copy of an
Duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

That an _____, of which the within is a true copy, will
Be presented for settlement to the Hon. _____
One of the judges of the within named court, at _____, at _____

Yours, etc.

JEFFREY H. SCHWARTZ
ATTORNEY(S) FOR PLAINTIFF

160 Broadway – Ste. 502
New York, N.Y. 10038
(212)964-2160

Dated:

To: